

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	CERTIFICATION OF A
)	SEXUALLY DANGEROUS PERSON
PATRICK SZYMANSKI,)	
Register Number 26679-050,)	
)	
Respondent.)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 2nd day of June, 2010.

George E. B. Holding
United States Attorney

/s/ Michael Lockridge
Michael Lockridge
Special Assistant U.S. Attorney
Attorney for Petitioner
U.S. Attorney's Office Civil Division
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N.C. Bar # 28644

CERTIFICATE OF SERVICE

This is to certify that I have this 2nd day of June, 2010, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Patrick Szymanski
Reg. No. 26679-050
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Office of the Federal Public Defender
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27601

/s/ Michael Lockridge
Michael Lockridge
Special Assistant U.S. Attorney
Attorney for Petitioner
U.S. Attorney's Office Civil Division
310 New Bern Avenue
Suite 800, Federal Building
Raleigh, NC 27601-1461
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CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Trent H. Evans, am Acting Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Patrick Jan Szymanski, Register Number 26679-050, is in Bureau custody at the Federal Correctional Institution, Butner, North Carolina, in service of a nine-month term of imprisonment and a five-year term of supervised release, following the revocation of his supervised release. He violated supervised release by showing a 12-year-old boy adult pornography, having the boy sit on his lap, rubbing his back, exposing himself, asking the boy to touch his penis, masturbating in the front of the boy, and having multiple sexually-related conversations in order to convince the boy to engage in other sexual contact. His original sentence was a twelve-month and one-day term of imprisonment and a three-year term of supervised release, following his conviction for Conspiracy to Transport Minor in Interstate Commerce, in violation of 18 U.S.C. § 2423(a) and (e) (D. N.J.)

(Case No. 1:06-CR-00284-001). His offense conduct included agreeing to go on a camping trip with a man he met through the internet message board "boylovers.org," and that the other man would bring his adopted 12-year-old son for the purpose of engaging in sexual conduct with him, and performing oral sex on the boy during the camping trip. His projected release date is June 6, 2010.

(3) Based on a review of his Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:


(a) He previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by the conduct associated with his original offense and the revocation of his supervised release;

(b) A psychological review and assessment indicated Axis I diagnoses of Pedophilia, Sexually Attracted to Both, Non-exclusive Type; Depressive Disorder Not Otherwise Specified; and Cannabis Abuse, in a Controlled Environment;

(c) A review and assessment of him using an actuarial risk assessment instrument (Static-99R) was conducted. This

result, in addition to his current and prior offense conduct, a history of revocation or failure to meet the stipulations of conditional release, sexually re-offending while enrolled in a sex offender treatment program, negative social influences, significant intimacy deficits, and poor sexual self-regulation, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.


Trent H. Evans
Acting Chairperson
Certification Review Panel
Federal Bureau of Prisons

5-27-10
Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
PATRICK SZYMANSKI,)	
Register Number 26679-050,)	
)	
Respondent.)	

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the Respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the appropriate fees and

expenses to witnesses so subpoenaed.

Pursuant to 18 U.S.C. section 4247(b), the Court ORDERS the government to conduct a psychiatric or psychological examination of Respondent. Pursuant to this section, if the Respondent wishes to request an additional examiner, he shall request such by separate motion to this court.

Any and all future forensic reports, and other such psychological and psychiatric reports or documents relevant to this case, whether such reports are produced by the Federal Bureau of Prisons, independent examiners appointed by order of this Court, or other mental health professionals, shall be filed with this Court under seal.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2010.

W. EARL BRITT
Senior U.S. District Judge